

OCT 31 2005

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**SCULLY, SCOTT, MURPHY
& PRESSER****Fax**

To: Examiner: Kelvin Y. Lin
Group Art Unit: 2142
Confirmation No.: 8740

From: John S. Sensny, Esq.

Fax: ~~631-724-8806~~ 571-273-8300 **Pages:** 19 (Including fax cover sheet)

Phone: **Date:** October 31, 2005

Re: Applicant: John J. Gregson
Serial No.: 09/934,638
Filed: August 22, 2001
For: "METHOD TO MEASURE
DISTRIBUTED SYSTEMS RELATIVE SIZE"
Docket: BLD920010006US1 (14385)
JSS:jy

CC**AMENDMENT UNDER 37 C.F.R. §1.111****TRANSMITTED HEREWITH:**

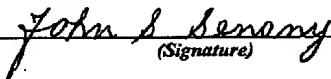
1. Amendment Transmittal Letter (in duplicate);
2. Amendment under 37 C.F.R. §1.111;
3. Authorization to charge IBM Deposit Account No. 09-0457/IBM, if necessary; and
4. Certificate of Facsimile Transmission, dated October 31, 2005 (in duplicate).

FOR:

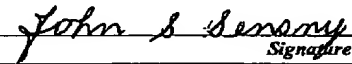
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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)		Docket No. BLD920010006US1 (14385)	
Applicant(s): John J. Gregson			
Application No. 09/934,638	Filing Date August 22, 2001	Examiner Kelvin Y. Lin	Group Art Unit 2142
Invention: METHOD TO MEASURE DISTRIBUTED SYSTEMS RELATIVE SIZE			
CONFIRMATION NO.: 8740			
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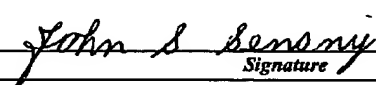
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AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. BLD920010006US1 (14385)					
Applicant(s): John J. Gregson										
Application No. 09/934,638	Filing Date August 22, 2001	Examiner Kelvin Y. Lin	Customer No. 23389	Group Art Unit 2142	Confirmation No. 8740					
Invention: METHOD AND SYSTEM TO MEASURE DISTRIBUTED SYSTEM'S RELATIVE SIZE										
COMMISSIONER FOR PATENTS:										
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.										
CLAIMS AS AMENDED										
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE					
TOTAL CLAIMS	17 -	20 =	0	x \$50.00	\$0.00					
INDEP. CLAIMS	4 -	4 =	0	x \$200.00	\$0.00					
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00					
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ In the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0457/IBM <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.										
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.										
 John S. Sensny Registration No. 28,757 Scully, Scott, Murphy & Presser 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343			Dated: October 31, 2005							
cc: JSS: jy			<div style="border: 1px solid black; padding: 5px;"> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</p> <p style="text-align: center;">(Date)</p> <p style="text-align: center;">_____ Signature of Person Mailing Correspondence</p> <p style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</p> </div>							

P11LARGE/REV09

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CONFIRMATION NO.: 8740			
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AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. BLD920010006US1 (14385)	
Applicant(s): John J. Gregson						
Application No. 09/934,638	Filing Date August 22, 2001	Examiner Kelvin Y. Lin	Customer No. 23389	Group Art Unit 2142	Confirmation No. 8740	
Invention: METHOD AND SYSTEM TO MEASURE DISTRIBUTED SYSTEM'S RELATIVE SIZE						
COMMISSIONER FOR PATENTS:						
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	17 -	20 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	4 -	4 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0457/IBM <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 John S. Sensny Registration No. 28,757 Scully, Scott, Murphy & Presser 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343			Dated: October 31, 2005			
cc: JSS:jy			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence			

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John J. Gregson

Examiner: Kelvin Y. Lin

Serial No.: 09/934,638

Group Art: 2142

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For: METHOD AND SYSTEM TO MEASURE Dated: October 31, 2005
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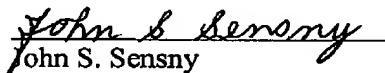
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450AMENDMENT UNDER 37 C.F.R. §1.111

Sir:

In response to the Office Action dated July 29, 2005, please amend the subject patent application as follows:

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: October 31, 2005
John S. Sensny